

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

CHRISTOPHER L. RANKIN;
TROY DALE FRANKLIN;
DANIEL SCOTT LAIRSEY, JR.; and
AARON CRAIG MCLAUGHLIN

PLAINTIFFS

v. Civil No. 5:19-cv-05065 (Lead Case)
5:19-cv-05066
5:19-cv-05079
5:19-cv-05085

SHERIFF TIM HELDER, Washington
County, Arkansas; LIEUTENANT STEVE
RIDENOURE; SERGEANT ALLEN
LUNSFORD; CORPORAL JUSTIN EDENS;
DEPUTY JOSEPH MALONE; OFFICER
LYNN WHITTLE; SERGEANT CARLOS PINEDA;
DEPUTY ALISTER TARKWON;
DEPUTY JOEL KELLER; DEPUTY CLINTON
MCCARVER; PATRICK BYRD; and CORPORAL
TOM MULVANEY

DEFENDANTS

OPINION AND ORDER

Plaintiff, Christopher L. Rankin, filed this action pursuant to 42 U.S.C. §1983. He proceeds *pro se* and *in forma pauperis*.

When he filed this case, Rankin was specifically advised (ECF No. 3) that he was required to immediately inform the Court of any change of address. If Rankin was transferred or released, he was told he must advise the Court of any change in his address by no later than thirty (30) days from the time of his transfer to another facility or his release. Additionally, Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas requires *pro se* parties to “promptly notify the Clerk and other parties to the proceedings of any change in

his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently.”

On December 19, 2019, Defendants filed a Motion to Dismiss (ECF No. 25). In the Motion, Defendants assert they have been unable to effect service of their discovery responses on Rankin. The Motion also addresses the claims of Daniel Lairsey. However, Lairsey has since provided the Court and defense counsel with a new address and the Motion is moot as to him.

On December 30, 2019, mail was returned to the Court (ECF No. 30) as undeliverable with a notation that Rankin was no longer incarcerated at the Washington County Detention Center. Rankin had until January 27, 2019, to provide the Court with his new address.

To date, Rankin has not provided a new address or contacted the Court in anyway. Accordingly, Defendants’ Motion to Dismiss (ECF No. 25) Rankin’s claims is **GRANTED**. Defendants’ Motion to Dismiss (ECF No. 25) Lairsey’s claims is **DENIED AS MOOT**.

The Clerk is directed to terminate Rankin as a Plaintiff pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas. Case number 5:19-cv-05065 will remain the lead case.

IT IS SO ORDERED this 6th day of February 2020.

/s/ P. K. Holmes, III

P. K. HOLMES, III
U.S. DISTRICT JUDGE